

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:24-cv-00158-MOC-WCM

WILLIAM PETERSON, III, )  
                                )  
Plaintiff,                 )  
v.                             )                                   ORDER  
                                )  
HARRAH'S NC CASINO COMPANY, LLC; )  
and CAESERS ENTERTAINMENT, INC., )  
                                )  
Defendants.                 )

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This matter is before the Court on a Joint Motion to Stay Pending Appeal of Related Litigation (the “Motion to Stay,” Doc. 8) and on Defendants’ Motion for Extension of Time to Answer or Otherwise Plead in Response to Plaintiff’s Complaint (the “Motion for Extension of Time,” Doc. 9).

**I. The Motion to Stay**

By the Motion to Stay, the parties request that this matter be stayed until the resolution of an appeal that is currently pending before the United States Court of Appeals for the Fourth Circuit in William Peterson III v. Harrah's NC Casino Company, LLC and Ceasars Entertainment, Inc., No. 1:23-cv-00036 (“Peterson I”) and assert that the appellate court’s ruling in Peterson I “could be determinative of whether the current case can proceed....” Doc. 8 at 2. The parties represent that the appeal in Peterson I is fully briefed and that they are awaiting a decision by the Fourth Circuit. Id.

“A court has the power to stay proceedings, which is ‘incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.’” Doe v. Bayer Corp., 367 F. Supp. 2d 904, 914 (M.D.N.C. 2005) (quoting Landis v. N. Am. Co., 299 U.S. 248, 254 (1936)).

The undersigned agrees that a stay of this case pending the resolution of the appeal in Peterson I is appropriate.

## **II. The Motion for Extension of Time**

By this Motion, Defendants request that their deadline to respond to Plaintiff’s Complaint be extended to and including August 1, 2024. In light of the Court’s ruling on the Motion to Stay, the Motion for Extension of Time will be denied as moot. A new deadline by which Defendants must answer or otherwise respond to the Complaint will be established after the stay is lifted.

### **IT IS THEREFORE ORDERED THAT:**

1. The Joint Motion to Stay Pending Appeal of Related Litigation (Doc. 8) is **GRANTED**, and this matter is **STAYED** pending resolution of the appeal in Peterson I. The parties **SHALL FILE** a Joint Status Report every ninety (90) days advising of the status of the appeal in Peterson I, with the first Joint Status Report being due on or before **September 13, 2024**.

2. Defendants' Motion for Extension of Time to Answer or Otherwise Plead in Response to Plaintiff's Complaint (Doc. 9) is **DENIED AS MOOT** as stated herein.

Signed: July 12, 2024



W. Carleton Metcalf  
United States Magistrate Judge

